

Applicati n No.:10/761,116

Docket No.: JCLA7624-CIP

REMARKS

1. The Office Action has stated that the present invention include six distinguishable species I- VI. Applicants have elect specie II with respect to claims 3-4.

However, Applicants have amended claims 3 and 4 for correcting typographic errors. As noted by the Office Action, claims 3-4 are in one specie. However, if the Office Action further requests an election, **claim 4 is elected.**

2. Applicants respectfully traverse the Election/Restrictions made by the Office Action.

The features of the present invention is using the variable incident angle to integrate some features, which have been considered by the Office Action as the different species, into one machine. It is believed that the Election is not necessary.

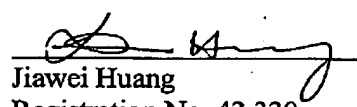
3. Applicants have also added claims 12-22, in which independent claim 12 has switching function to switch between the elliposmetric mechanism and the surface plasma resonance mechanism by the feature of the variable incident angle. Claims 12-22 also fall into the same specie with claim 4, and are generic with claims 1 and 9-11.

In conclusions, it is respectfully believed that the request of Election/Restriction is not proper under the integration design.

Respectfully submitted,
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